

# NOTICIAS del PUERTO de MONTEREY

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Flogging with a "colt", a single rope, aboard a merchant ship. This illustration by an unknown artist first appeared in 1842, one year before the incidents related in the following story. It was reprinted in the Dodd, Mead & Company edition of "Two Years Before the Mast," New York, N.Y., 1946.

**VIEW FROM THE YARD-ARM**

## **A Double Flogging**

The view from the yard-arm of the merchant vessel "Admittance" must have been glorious that bright day in 1843. To the west was the protective arm of Port Pinos; to the north, waves were crashing on the encircling white sand



dunes. Directly in front of the anchorage, the red-roofed houses of the Puerto de Monterey spilled down toward the custom house and harbor.

But young William Thomes, hanging on the rigging, was not admiring the view that day. His gaze was fixed on the American sloop-of-war "Dale," which lay at anchor less than a third of a cable-length away (a little over 200 feet).

Thomes, whose adventures ashore appeared in the September, 1987, issue of *Noticias*, had joined the "Admittance" in Boston the year before as a 16-year-old apprentice seaman. His account of what happened next, as he straddled the yard, appeared in his book, "On Land and Sea," which was published some years later. Thomes writes:

...as there was not a breath of air, and the sun was shining quite brightly, I could look down from my lofty position on the guns of the sloop-of-war, and see all that was going on. Officers were mustered on the quarter-deck, in full uniform, with swords by their sides, and stood in groups, and talked in low tones, while the men were gathered on the top-gallant forecastle, around the foremast, the booms, and the launch. They looked very solemn, and there was no skylarking going on, or loud talk. The sailors glanced anxiously toward their superiors, as though to read the expression of their faces, and judge what was passing in their minds. Something of a serious nature was to take place, but what it was I could not divine. No one was dead, for the ensign was not half-masted, but fluttered at the peak as a light puff of air from the shore touched its graceful folds, and then passed on, and left it listless as before....

The flag meant that no strange boats or visitors were allowed alongside until it was lowered. Outsiders were not wanted just then.

Suddenly the boatswain of the ship stepped into the waist, put his silver pipe to his mouth, uttered a shrill "tweet, tweet, tweet," and then shouted, —

"All hands muster aft to witness punishment. Tumble up from below, and be lively about it. Do you hear?"

Some of the sailors were to be seized up, and flogged, and I wanted to see the affair, if I could, so kept still, and waited for the cruel work to commence. I had read of such punishment, but never witnessed it on shipboard. It was brutal and horrible, but it was the custom of the navy, and merchant vessels, also, at that time, and continued until the law stopped it some years ago.

The boatswain had hardly uttered his shrill pipe, and hoarse shout of, —

"All hands muster aft to witness punishment," than the two boatswain's mates, on each side of the launch, repeated the disagreeable cry, sounding their pipes very shrilly for several seconds. Then the crew, after a moment's hesitation, surged aft, as far as the mainmast, and there halted, while the soldier-like marines paraded the quarter-deck, near the capstan, and stood like statues, with their muskets at a carry, and when the captain of the ship came on the poop they presented arms as one man, and then returned to their old position, and kept their eyes on the sailors, as though they feared that the latter would make a sudden rush, and wrench the muskets and bayonets from their hands, and take possession of the ship, which they might have done had not fear of those in authority kept them under subjection.

Presently there was a stir among the sailors, and the master-at-arms, with his assistants, came on deck, and led aft two men, whom I had seen drunk and fighting the evening before, on shore and in the cutter. One of the prisoners was a young fellow, not more than twenty-three years of age, an American, and the other was an English man-of-war's man, a person about thirty-five, with a hard-looking face, and devil-me-care air, as though he had no shame for the position in

which he found himself placed, while the American seemed a little abashed, and sorry for what he had done.

I saw the captain open a paper, and read from it, and I supposed it was the articles of war. Then he said a few words which I could not hear, waved his hand, turned and walked aft, and seemed to be looking across the bay, as though the scene on deck had no attraction for him; but it had great interest for me, and I was glad that Mr. Prentice had forgotten my existence for the moment.

The master-at-arms and his assistants hurried the American sailor to the gratings at the main rigging, and then someone said, in a harsh voice, one single word, and that was, —

“Strip.”

The sailor slowly pulled off his blue flannel shirt, as though he did not care for the job, and then his belt was removed, so that the trousers would fall well down on his hips, and the man’s white flesh was exposed to view. “Seize him up,” was the cruel command, and the man’s wrists were secured to the gratings, the arms stretched up, and wide apart, making a spread eagle of the man, and then his ankles were fastened, and the sailor was helpless, and at the mercy of the captain.

“Boatswain’s mate, give the man one dozen,” was the stern command, and then many of the officers looked up aloft, or in any direction but toward the spot where a human being was to be punished like a brute, just because he had drunk some of the accursed shore auguardiente, which Old Cook had furnished him.

One of the boatswain’s mates, a powerful man, stepped forward, ran his fingers through the several tails of his cruel cat, then retreated a step, and looked at the officer who appeared to be giving orders. One of the lieutenants who had turned his back to the scene, caught sight of me, perched on the yard, and made a motion for me to “lay down,” but I was not under his authority, and so refused to stir.

“Do your duty, boatswain’s mate,” the captain said, in a cold, stern tone.

The petty officer raised his terrible cat, and let it fall with cruel force on the bare back of the sailor, and I saw blood follow the blow, and large, red ridges appeared on the skin.

“One,” cried some person, who appeared to keep tally. He spoke so that all could hear, fore and aft.

“Oh,” from the sailor, and he shuddered.

“Two,”

“O God!” moaned the poor fellow.

“Three ... Four.”

“Oh, oh, oh!” and a struggle to tear his arms loose from the grating.

“Five ... Six.”

“Please, cap’en, spare me.”

“Seven... Eight .. Nine.”

“Mercy, mercy, mercy!”

“Ten.”

“O damnation, don’t!”

“Eleven.”

“Curses on the whole of you!”

“Twelve.”

“O mother, mother, mother!” and the poor fellow’s head fell on his breast. He had fainted under the lash.

“Cast him loose,” was the stern command, and then the master-at-arms severed the lashings, and the sailor fell into the arms of his assistants, quite unconscious.

The surgeon of the ship stepped forward, and felt of the insensible man’s pulse.



He was silent for a moment, turned to the captain, saluted, and said something in a low tone. The captain waved his hand, the fainting man's shirt was thrown over his shoulders, bruised and bleeding, and then he was led forward. As he passed his messmates he received many quiet jeers of contempt, because he had not shown more pluck, and taken his punishment without a murmur, or a single groan.

"Next," cried a stern voice, and the master-at-arms appeared with the second person to be punished, an Englishman, as I have said, an old man-of-war's man, yet young in years. He had a smile on his lips, as he faced the quarter-deck, and all the officers, as though he did not care for them, or the disgrace which he had brought upon himself.

"Drunkness and fighting," said the captain. "One dozen. Strip."

The fellow pulled off his shirt with an air of profound indifference, as coolly as if he was about to turn in for the night, with the prospect of a good sleep before him. He tossed his shirt to a messmate, removed his leather belt, so that his trousers would drop down to the hips, and then I could see that the man's back was already seamed and scarred, by previous punishment, before he had deserted from the English service, and entered the American navy.

"Seize him up," was the command, and the fellow was made a spread eagle of, as the previous man had been.

"Boatswain's mate, do your duty, and, blank you, if you spare him I'll disrate you," was the encouraging order.

The second boatswain's mate stepped forward, a very powerful man, six feet tall, all bone and muscle. He looked as though capable of knocking down a bullock, and then eating him in the course of a day.

He ran his bony fingers through the tails of the cat in a dainty manner, like a lady playing with her lover's curls, or the ears of her favorite dog, and drew back his powerful right arm.

"One," cried the person who kept the run of the blows.

The cat whizzed through the air, and fell upon a naked back, but the sailor did not flinch, or utter a moan.

"Two."

The cat again descended, and, as it struck the flesh, I had to grip the topsail lift quite hard to prevent falling off the yard, so much was I affected by the terrible blows.

Not a word, a sigh, or struggle from the victim, as the tails of the cat fell, and spread over the man's back.

"Three."

The sailor even turned his head toward his shipmates, and made a gesture of contempt. The captain saw it, and was angry, for he growled out, —

"Blank you, boatswain's mate, you are not doing your duty. You would not brush a fly from the man's back. Put some strength in your blows, or I'll disrate you, as sure as I live."

The petty officer did not reply, but he threw back his arm as though he meant to have blood, and, when the blow did descend, it seemed as though the cat would cut the sailor's body into two pieces.

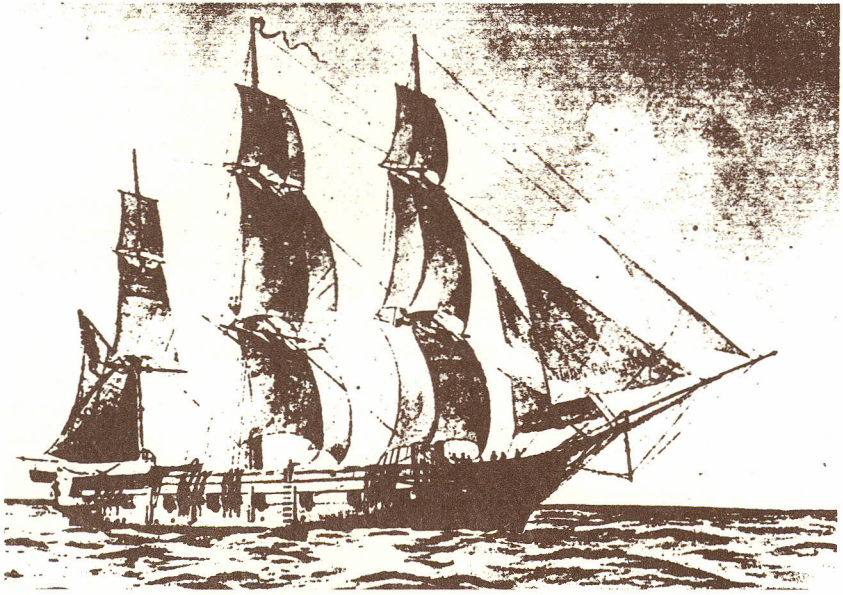
"Four."

It was terrible, but the fellow did not utter as much as a murmur, or even struggle to free his arms from the lashings.

"Five."

The man set his teeth together, but still there was no cry of pain, not even a groan. How he could endure it, and not yell and shrink, was more than I could imagine.





The U.S. Sloop of War "Dale," aboard which the flogging took place as described by Thomes. The painting, by Frank M. Moore, was commissioned by the Marine Corps and hangs in the Allen Knight Maritime Museum in Monterey.

Photo by Pat Hathaway

"Six."

Still no signs of flinching.

The assembled crew began to be interested, and a hum of admiration swept through the crowd, like a ripple of applause at a theatre, when a good point has been made by some favorite actor. They admired the sufferer's pluck, and wanted to encourage him to endure all to the end, without flinching.

"Seven."

The blow might as well have fallen on a block of marble, for all the effect it produced.

"Eight, nine, ten, eleven, twelve," and all without a murmur.

"Cut him down," was the command, and, as the sailor was released, (sic) he actually turned and smiled at the officers, took his shirt from his messmate's hands, and then once more faced the commander.

"Go forward, and don't let me hear of your drinking and fighting again," the captain said. "If I do you will get four dozen the next time instead of one. Pipe down, boatswain."

The pipes sounded, the men ranged forward, talking of the pluck of one man, and the weakness of the other, but all agreeing that it was confounded hard to flog a man for having a good time, and getting drunk, while the commissioned officers could be parbuckled on board, full of wine and rum, and not a word of condemnation would fall from the lips of those in command. Then at eight bells, or twelve o'clock, noon, the boatswain's pipes sounded, shrill and long, and I could hear the hoarse cry of, —

"Grog, oh, grog! Tumble aft, and splice the main brace," for in those days rum was served out to the men every day, at twelve o'clock, and sometimes oftener, especially when hard work was performed, such as reefing topsails, and in heavy gales, and cold weather.

The two men had been punished for drinking, and in three hours and a half after they were cut down, they could muster aft, and take their gill of liquor. All were expected to drink it at the tub, or carry it off in tin pots, and trade it away with messmates for tobacco or clothing. I have known man-of-war's men to purchase exemption from punishment by giving a shipmate a month's allowance of grog, to confess that the real perpetrator of a crime was innocent, and the innocent guilty.

The reason the Dale's crew were so irrepressibly ugly, and regardless of discipline, was because the time of most of the men was out, and they should have been homeward bound long before, but were compelled to wait for the United States ship *Ceynne*, from Mazatlan, (sic) and she was expected every day. California was even then considered as too important to be entirely deserted by our national ships, and given up to the English, who were making great exertions to win the goodwill of the Mexicans, but did not succeed, because the John Bulls could not change their politics and religion as rapidly as the Yankees. Our people would marry into the best families, if possible, and sometimes regardless of the fact that they had wives at home, while the Englishmen did not understand the system of union, so went wifeless. Then again, the Americans did not care whether they worshipped in the Catholic or Protestant form of religion, so long as they had something to swear by, and this pleased the priests, the wives, and the Mexicans, consequently all was lovely, while the natives of Great Britain, who would not, usually, learn Spanish, or the customs of the country, wanted to argue before being converted, and so lost ground on all occasions, as might be expected. When you desire to get a State away from its inhabitants, it won't answer to be too particular over a little matter like conscience. Our agents regarded the advice they had received from the State department, — "Be anything and everything so that you keep out the English until we are ready to take the country," for the Mexican war was even then brewing, and was only a question of months, as was expected at the time, but was delayed for several years, for certain political reasons, which Texas politicians can even now answer and explain.<sup>1</sup>

The brutality of naval discipline was echoed in the merchant fleet where every captain was sovereign authority aboard ship twenty-four hours a day, seven days a week. Like sovereigns, too, those in command came with every kind of temperament and disposition. Some were lenient, many were tyrannical. In "Two Years Before the Mast", Dana also describes the flogging of two men aboard the "Pilgrim," a trading ship, similar to the "Admittance." After leaving Monterey to pick up a load of hides in San Pedro, Captain Thompson of the "Pilgrim" ordered one seaman flogged for "being impudent," and another received the same treatment for objecting to the punishment.<sup>2</sup> Such cases were not considered unusual.

Captain Peterson of the "Admittance" was described as a disciplinarian with a hot temper, but a man who generally went easy on punishment, unless provoked. Thomes describes an incident in which two men deserted the ship. The dialect is an approximation of the captain's Danish speech.

One morning in April the merchant ships raised anchor, and sailed south, leaving only the Dale, the schooner California, and the Admittance in port, and, the very day after they left, on calling all hands at daylight, it was discovered that the pinnacle was missing, and that it was lying on the beach, broadside to the surf, and that the assistant steward, Bill, and the boy Henry, were absent, having left in the course of the night, but in whose watch it was impossible to tell, as all hands denied that they had gone while they were on deck.



The old man was informed of the desertion, but he merely came on deck, snorted around for awhile, and then ordered us to man the quarter-boat, so that he could go on shore, and look after the pinnacle, and tow it off to the ship. Then he proceeded up town, to throw out a few hints that he should like to recover his boys.

The captain headed for Old Cook's pulperia bar, and as the latter had been doing an immense business for two weeks past, but was now quite sober, he listened to the account of the desertion with calm interest, and promised that the boys should be on board at eight bells the next morning, and all for the small sum of five dollars per head. He was as good as his word, for Bill and Harry were brought to the landing at the time agreed upon, in the charge of two black and villainous-looking rancheros, and, when the lads were pulled on board, they did not look happy. They had gone off with a vaquero, in the hope of growing up with the country, and passing their days in riding horseback, and lassoing cattle, but when the villainous scoundrels learned that a reward was offered for the lads' arrest, they sold them to Old Cook, and pocketed half the money, a very common practice in California in 1843.

The old man received the runaways with freezing coldness and politeness.

"Now let me tells you dat no von can leave dis ship and not get catched. Let dis be a varning to you. Now go to your duty, and don't you do sich dings agin, or the vurst for you," and that was all the captain said or did. He could threaten, like a scolding woman, but he never carried out his intentions, as far as punishment was concerned. He had a good heart, after all, even when he blustered the most.<sup>3</sup>

In the Navy, such desertion could be punishable by death, depending on the circumstances.

On another occasion, when his authority was challenged, Captain Peterson was not so gentle.

One afternoon, while the captain was on shore, and the mate was in charge of the ship, we had something that looked like a mutiny for awhile, in spite of the close proximity of a United States naval sloop-of-war. Our men had become dissatisfied with constant work, and the daily use of fresh meat, instead of that staple dish called salt-junk. Beef boiled, fried, and stewed, did not suit them, and, led on by Charley, the Dane, there was an outbreak, and we boys clustered forward to see and hear all that transpired.

Charley was an ugly fellow, always grumbling and growling when he had work to do that did not suit him, for he only wanted dandy jobs. He was not liked by the men, yet, for a time, did lead them. As for us boys, we detested him for the airs that he put on, and really hoped that some day he would be humiliated, and brought low. There had long been a little ill-feeling between Mr. Prentice and the Dane, and it culminated by Charley refusing to do some work that the mate had ordered him to perform. The man uttered a few impudent words, and walked forward. Mr. Prentice did not lack courage, but he would not precipitate a row when the captain was on shore, for he intended the old man should take a hand, if there was any necessity for it.

The old sailors, to a man, rallied around the Dane, and seemed inclined to support him by deeds, but the ordinary seamen, although collected near the foremast, merely looked on, and took no sides, for or against the officers of the ship. They knew if they did, one way or the other, that they would gain nothing, so were disposed to hold off, and see the fun.

Mr. Prentice went forward, when told that the men were inclined to be in a mutinous state, and was followed by the second and third mates, as a supporting

staff in case there were hard blows exchanged.

"Well, men," asked the mate, "what is the trouble with you? Why don't you turn to, and go to work?"

"Ve has had enough of dis bloody old hooker, and de grub ve gets," was the answer of the Dane, with an impudent smile, and a look of defiance.

"Then complain to the captain, and not to me. I do not command the ship, or regulate the labor. I am told what to do, and see the work carried on," Mr. Prentice said, in a mild but firm tone, and with no show of anger.

"Ve does no more duty on dis hooker till ve has less vork, and better grub," was the sullen answer of Charley, the spokesman.

"Do you all agree to that?" asked Mr. Prentice, appealing to the crew.

Three or four said that they did, while others, including English Jack, looked at the sloop-of-war in an ominous manner, and remained silent. They knew that, at a signal, a boat-load of marines from the Ceynne would be landed on our decks, and all hands put in irons, and punished if necessary.

"Blank de navy, and all de cap'ens in it," was the growl of Charley. "Ve knows our rights, and vill stick to 'em. Ve vorks no more till ve has salt beef and pork. Ve is sick of fresh grub. You can't frighten us by callin' on man-of-vars."

"I shall send for the captain," the mate said, after a moment's reflection, "and not for a cutter from the Ceynne. All who are not with Charley turn to."

Ten of the men responded, leaving six to sit on the windlass, smoke, and discuss their plans. Old Jones and English Jack went to work. They had served in the English and American navies. Scotch Jack would have joined them, but had been drinking a glass of auguardiente, obtained in some mysterious manner, and was ugly, and wanted to fight.

"Thom, man the quarter-boat, and go on shore for the captain," the mate said. "Tell him that his presence is needed immediately, as some of the men refuse duty."

Did you ever notice how delighted people are to carry bad news, or disagreeable messages? Well, we boys felt just as though we had struck a bonanza of trouble, and that the old man would be taken "all aback" at the intelligence. It gave us something to talk about, to think of, to speculate on, and we were in high glee as we hurried our strokes toward the shore. I felt two inches taller as I trotted past the custom house, and started in search of the captain.

I found him at last, chatting Spanish with a pretty little Mexican girl, the daughter of one of the old residents, who owned cattle on a thousand hills.

I delivered my message in as subdued a tone as possible, to hide the exultation that I felt, and the captain looked as though the news bored him, and I know it would have bored me had I been in his place. Then he shook hands with the lady, although there was no occasion for it, as we did not intend to sail for several days, and started for the beach, leaving me to follow as best I could.

"Thom," said the old man, as we walked toward the beach, turning around so suddenly that he almost caught me with a double grimace on my face, "vot is de row on board?"

I told him, as well as I was able, what had occurred, but he did not seem to be much moved by the information. We pulled leisurely on board, and Mr. Prentice and the captain had a quiet conversation on the quarter-deck, and then came the order,—

"All hands muster aft."

The men came to the quarter-deck very slowly, as though they did not relish the expected interview, but, as they grouped near the mainmast, the captain opened fire with a speech, and it was something like the following: —



"Mens, Mr. Prentice tells me dat you has not been good mens dis afternoon, and dat you refuses to turn to ven you is told to. Now let me hear all dat you wants me to hear, and be quick about it. Who is de man vot is to speak for you?"

Charley stepped forward, but he did not seem quite as confident as when he faced Mr. Prentice an hour before.

"Ve wants salt beef for our dinners," the Dane said. "Ve is tired of dis same old ding, — fresh grub. Beside, ve has more vork den is good for us. It is on deck at daylight, and not knock off till dark. Ve has no time to mend our clothes, except Sunday, and den ve wants to go on shore. Ve wishes some changes, and now is de time ven ve axes for dem. Less vork, and salt grub."

"Is dere any other mens vot wishes to speak?" the old man asked in a subdued tone, but he looked dangerous.

No one answered.

"Come, tells me all at dis time, for I wants to settle dis ding here, now, and foreber. Speaks to me all de mens vot wants to."

"I has spoken for dem," answered Charley in an impudent tone, that would have enraged a better-tempered man than the master of the Admittance.

"You has, hey?" and the old man made a spring, and, before his countryman knew what was going to happen, a strong, boney hand had him by the neck, and he was lying on the deck at the mercy of the captain.

"You lets me up," cried the prostrate sailor, but the rest of the men did not move to his rescue, or say a word.

"Yes, I lets you up ven I pleases," was the answer, accompanied with a shake that made the Dane's teeth rattle. "You gives me back talk, vill you? You tells me vot you vill do, and vot you von't do, vill you? Bring de irons, Mr. Prentice. I vill teach de mens dat I am master of dis ship, and dat no von talks back to me while I is in charge."

The handcuffs were ready, and soon slipped on the wrists of Charley, and then he was allowed to arise, but all the fight was not taken out of him, for he said, in a sullen tone, —

"You be sorry for dis, you sees if you is not."

"Put dat man in de run," the captain said, meaning the darkest and most disagreeable place on board the ship, and then turning to the crew, he dismissed them with these words: "Go, for'ard, and do your duty, and let me hear no more of dis blanked nonsense. I am de cap'en of dis ship, and I means to be de cap'en, and I vill be obeyed, or de vust for you."

Every man went forward at once, and returned to his duty, and thus was quelled an incipient mutiny, that might have caused trouble to a man with less nerve than our captain.

Charley was kept on bread and water, and in irons, for twenty-four hours, then released, the spunk all taken out of him, and from that day his life was an unhappy one on board the Admittance. He had failed to gain his point, and the crew did not look upon him as a champion any longer. He had led them along, and been punished, and that was enough for his shipmates. To be a leader in the forecastle a sailor must not fail at any time, and be ready to give harder blows than he receives.

Charley strove to regain his supremacy, but Scotch Jack put in his claim and taunted the Dane for his want of pluck, and not being a fighting man. There was a short struggle over sea chests, tin pans, and pots, a few heavy blows, some blood, a black eye, and Charley was no longer of any account. A new king had arisen, and sat upon the throne. No inquiries were made about Jack's black eye, or the Dane's bruised face. The mates knew the meaning, and did not profess much curiosity on the subject. They were not sorry that Charley had fallen, and

we boys were delighted. The next bottle of *auguardiente* I brought off for one of the officers, I pulled the cork, poured out two gills of the liquor, filled up with water, and gave Scotch Jack such a tot of grog one evening, he thought for a while that he was in paradise, and that I was a cherubim with wings. But the mate said that Old Cook's *auguardiente* was growing weaker, and did not seem to hit his cancer as formerly, and he feared it would ultimately carry him by the board.

As I have said, there was not a boy on the ship who did not hate Charley, and we were glad of his downfall, for he had been cross and overbearing in his course toward us, and spoke and acted as if he was an officer, instead of a foremast hand, while Scotch Jack was pleasant, and would always show us how to do fancy jobs, and make all kinds of curious knots. Besides, Jack was peaceable, except when he was drunk, and that was not often, for he could not always get liquor.

And now commenced the delightful task, to the officers, of working up Charley's "old iron," as it is called on ship-board, a deliberate system of breaking down a man who is disliked by the people of the cabin. He had always been given the best of jobs, such as repairing sails, pointing ropes, making knots, and knew nothing of the drudgery of bringing off hides from the shore, or of being in the water at all hours of the day and night. This was changed. He was called upon to perform the most degrading jobs, such as ordinary seamen have to undertake. He was made to scrub the deck with brooms, pass water, use a swab, to tar down the rigging, beat the rust from the iron work, to wade in the water, carry hides on his head, and do a hundred things that must have galled his spirit, and made him nearly burst with mortification and rage. The mates would pile on the burdens with a calm indifference to his sufferings, for they had received orders to work up his "old iron," and they liked the job.

Had the Dane refused to do what he was ordered to perform it would have been mutiny, and then the captain could have made a "spread eagle" of the man, for in those days merchant skippers could tie up a sailor, the same as on board a man-of-war, and inflict as many blows as they pleased. Charley knew all this, and did not dare to provoke a flogging, the most degrading punishment a sailor can receive. He had aimed high all the voyage, and had overshot the mark, yet he would have succeeded if he had not met a spirit that was more resolute than his own. He had grasped at a sceptre, and failed to secure it.

At last the fellow grew sick, or pretended to be ill, and could do no duty, as he said that he had rheumatism in his legs, from exposure to the weather. Still he was kept at work picking oakum, or knotting yarns, and there was no peace for him. Even the ordinary seamen grew so bold as to call him an "old sojer," men who had been compelled to wait for their food until the king had overhauled the kids, and selected such meat and duff as he pleased, regardless of the wants of others. Then the boys snorted at him, and mocked him, and the officers heard them, and rather encouraged the scamps to kick the man when he was down.<sup>4</sup>

Eventually Charley was put ashore with his belongings on the coast near San Luis Obispo.

Not long after the flogging aboard the "Dale", a reform movement began which ultimately spelled out what powers were permitted to the officers of a ship and what punishment could be administered. According to the book "Naval Customs, Traditions and Usage,"

In 1850, Senator John P. Hale (New Hampshire) a liberal and champion of the "under dog," added an anti-flogging clause to the Naval Appropriation Bill.

In 1851-53, Commodore R.F. Stockton, Senator from California, further restricted flogging by legislation and on July 17, 1862, Congress abolished flogging.

The Navy Department reported that "it would be utterly impracticable to have



an efficient Navy without this form of punishment.” The Department reported that the “colt” (a single whip) was in most instances used instead of the “cat-o’-nine-tails.” Senator Hale showed where a seaman had been sentenced by court-martial “to receive 500 lashes, and actually received 400.” This was given in twelve-lash installments.

Many sailors as well as writers had long advocated reform in punishment. But paradoxical as it may seem, groups of sailors presented memorials to Congress requesting no change in the system, stating that without drastic punishment the good men would have to do the work of the shirkers. After the act was passed, Secretary of the Navy Gideon Welles reported on December 4, 1862, that it was impossible to re-enlist the better class of seamen. The sober, hard-working men considered that they had been performing duties of the shirkers and the indolent. This led to a change in the enlistment system and the training of the Navy.<sup>5</sup> Reflecting on the conditions that existed when he went to sea, Thomes later commented:

Many years have elapsed since serving out grog and flogging were abolished in the navy, and it is too late to argue for or against the practice, but I have heard old seamen declare that they preferred the United States service when the cat was supreme, as no good man would be punished unless he deserved it, and that there were always a lot of scoundrels, drunkards, and thieves in the navy, who got no more than they deserved when they received their one, two, three, or four dozen, while the stopping of the grog rations drove from the service hundreds of good men, who liked rum, and remained in the navy because liquor was served regularly.<sup>6</sup>

—DLW

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